

WHERE EUROPE ENDS: THE EASTERN FRONTIER OF EUROPE



THE EASTERN BORDER OF A RELUCTANT EMPIRE

What are borders? From the many possible definitions, borders emerge as formal delimitations between collective subjective entities – identities in the fortunate cases – politically organized in states or equivalents. As such, their importance is twofold: political, as they stand as protectors of one set of laws and regulations, and not another; and symbolic, as they guard certain customs and norms, and therefore cultural identity. Both roles make borders indispensable, as collectives cannot do without identity, albeit conventional, and cultural anomie is unhealthy. Yet in both endeavors, borders are vulnerable and increasingly harder to sustain in times of unprecedented movement of ideas, people and capitals.

The EU's 1999 Helsinki summit made the historical decision to set an eastern border to Europe. It included the Baltic States, Turkey, two Balkan countries – Romania and Bulgaria – and left out Ukraine, Serbia, Moldova and others, with more or less similar legitimate claims and assumed identities. For some Eastern Europe states, Helsinki was the best news in a century otherwise quite poor in historic opportunities. For others, it signaled being left out in the cold. Still, turning this line drawn on a map in Brussels into a border for Europe is not such a simple undertaking, even assuming it is the right one. The challenges to the eastern border of Europe are tremendous, and enlargement policies may well stop short of securing what Europe was seeking in the first place: peace, security and prosperity on the eastern frontier.

Is the Cold War over for everybody?

In the aftermath of World War II, the 684 km frontier separating Romania from the Republic of Moldova followed the fate of all other USSR state borders: it was marked with barbed wire. The Romania-USSR frontier demarcation agreement was signed on September 27, 1949, and was shortly followed by the erection of its infamously sharp barrier. At the time, the barbed wire marked the frontier between the Soviet Empire and one of its socialist satellites, but both states were on the same side of the Iron Curtain that divided Europe. Today, the frontier only seems to have deepened. Now, it separates the European Union from the rest of the world. The barbed wire still stretches along the border: it is a relic of the past, but also a symbol of a secluded present for the people left outside the European construction.

A portion of the barbed wire on the southern border was removed in 1990, at the time of the Perestroika, when Gorbachev spoke about a possible European Common House. It was Simion Platon's initiative, a USSR deputy from Cahul, who still seems marked by nostalgia for the "golden" times of the Soviet era and has the air of regretting his decision.

More than 15 years after the removal of the first portion of barbed wire, the county council of Ungheni passed a decision for the removal of the barbed wire on 80 km of its border. However, the Border Patrol attacked the Ungheni authorities' decision in court, and January 2008 saw the first decision in favor of the local authorities. Then, the decree was appealed in the Court of Belts, which ruled that the barbed wire be maintained, and found the council's decision to be illegal and issued in infringement of its competence and of the legal procedure. However, the district council members question the impartiality of the juridical act, considering independence of justice remains one of Moldova's major problems, and President Vladimir Voronin openly stated his disapproval of the council's initiative. His attitude is not surprising, as 21 of the 35 county counselors are members of the main opposition party, which managed to shake the electoral hopes of the ruling Communist Party, led by Voronin, during the local elections in the summer of 2007. Infuriated by the local counselors' defiance, Voronin insisted on reminding them in a non-cordial tone, that the barbed wire did not belong to them. He also threatened to imprison them.

But even if the political conflict's implications have such a disturbing symbolic force, its real motivation is actually economic. The barbed wire does not faithfully follow the line of the Prut River, which constitutes the border. Between the river and the problematic fence, there is a piece of land that belongs to the county of Ungheni, whose total surface amounts to no less than 2,500 ha. The local council's president, Ion Horea thinks this land is prime for development as an agro-tourism area. Moreover, many of the border peasants own fields beyond the barbed wire. In order to take their cattle to the pastures on the other side of the fence, twice a day, at dawn and at sunset, these people have to go through border control: the patrol officers seek their name on a list, and open the heavy lock that keeps the gate closed. Pulling their cows by rope, these peasants cross one of the last physical reminders of the Cold War, and enter a sort of a No man's land, at the end of which starts Europe: a Europe to which they belong geographically, but from which they are separated by a historical hazard made manifest in the rusty barbed wire fence.



If Europe is once again approaching its old traditional border in the east, it is due more to the ambition of peripheral actors (the former EU accession states, now EU members) than to a centralized act of will. This reluctant European imperialism was checked in the summer of 2008, when the Georgian-Russian war seemed to have set a border to Europe, which runs provisionally between South Ossetia and Georgia proper. A previous secessionist war, also with some Russian involvement, established another border, between Moldova and Transnistria. The territories in question are Moldova and Georgia, which could still go either way, despite their open pro-Europe positions. Ukraine, despite its structural, political and identity problems, acquired a reinforced position towards Europe from the Georgian war. If Ukraine displays even moderate entrepreneurship, it has European potential, as quite a few interests within Europe agree that the easternmost borders of Poland and Romania should not be seen Europe's final. In other words, we are drawing to a close, after which, neither EU nor regional leaders will be able to shift a border that is now practically Russian or contains territories under direct Russian protection.

This new situation arisen in 2008 provides the best opportunity to reflect on the nature of EU's eastern border and its management in the future. From the Brussels policy planning cabinets to the eastern outskirts of the vast European empire, border posts and consulates are directly facing the 'desert of Tartars'¹, and a fresh look at what the eastern border stands for is needed. This is the goal of the present documentary film. Based on five months' fieldwork in the summer-fall of 2008, the documentary reviews the main challenges to the EU's eastern frontier, focusing on the people who bear the consequences of border policies. This short report more explicitly reviews a list of trade-offs and illustrative cases.



WHERE DID THIS BORDER COME FROM?

State borders may seem, at first sight, to have equal significance throughout the continent of Europe as the main symbols of national sovereignty. One estimate is that 8,000 miles of new state borders have been created in Central and Eastern Europe since 1989 alone.

The brutal, be it peaceful (Czechoslovakia) or non-peaceful (Yugoslavia), redrawing of frontiers in Eastern Europe frightened the Western world after 1989, however, it was merely revenge for a century of frustration over the inability to find the 'right' borders, the expression of what a political scientist labeled 'unfinished national revolutions'². All borders may be formal, but some are more so than others, and Eastern European borders after the liberation wars that started in the second half of the 19th century and ended with the Versailles Treaty in 1919, resemble, to some extent, more post-colonial African borders than those of Western Europe. The character of Eastern Europe as 'colony', unable to pursue a normal development path due to chronic foreign domination and intervention by the entities designated as 'the Great Powers', is rarely acknowledged today. Nonetheless, the essential variable that prevented normal state formation in Eastern Europe and led to the impossible patchwork we see today, is the confiscation of natural national developments by centuries of foreign domination and/or intervention. Nowhere, and at no time were nation-states built without violence: the idealization of Western European state- and nation-building only leads to flawed categories of nationalism. Centuries of combined ethnic and religious cleansing, conversion and negotiation led to Western European nations within the Euro-Atlantic region, what Gellner once labeled "the first and second time-zones of Europe"³. In the third time-zone, roughly the enlargement countries of today, this evolution was prevented by the zone being a playground not for God, as the title of a contemporary history of Poland proclaims⁴, but for the Ottoman, Hapsburg and Russian empires. The most influential set of classifications of nationalism is Western civic, Eastern ethnic⁵, which, in fact, is reducible to 'Western good, Eastern bad'. Furthermore, it fully fails to acknowledge two essential phenomena: the national under-development of Eastern Europe due to foreign occupation, and civic liberal models, not German romanticism, as the initial dominant paradigm of 19th century Eastern European state-building⁶. A much more refined and therefore more accurate perspective does exist in nationalist literature⁷, but as is often the case with more complex, less black-and-white approaches, its use by the media and policy-makers is severely limited. Western European borders were, one must acknowledge, rendered a lot more 'natural' through centuries of evolution. Their superimposition on the natural frontiers of 'social communication'⁸ set by use of common or close languages reached a high degree of 'goodness-of-fit'. Where it did not, as in the case of borders between France and Germany a revolutionary process of unification of Europe was needed to solve the matter. Yet nowadays, indeed, less than a third of Western Europeans consider their borders 'wrong', and the figure decreased even more after the unification of the two German states.

In Eastern Europe, however, the situation could not be more different: on average, the majority of Eastern Europeans are not settled with their borders, and three polls⁹ found high rates of agreement with the statement “There are parts of other countries which belong to us”.¹⁰ Is this territorial nationalism, or rather the awareness of perceived ‘lack-of-fit’ of national borders to national cultures? Living with cultural minorities within your national borders is both acceptable and manageable. To accept, however, that one’s own ethnic group makes a minority or even a majority in a neighboring state (Kosovo, Moldova) while the ethnic group of another neighbor makes a minority in your state means acknowledging that borders are wholly, not somewhat conventional, which renders them meaningless altogether. Eastern Europeans’ perception that something is wrong with their borders is therefore, partially grounded in reality; this does not imply, however, that a better set of borders could have been produced when centuries of unnatural evolution had to be brought overnight to an equitable and workable solution. This also does not imply that the perception, in itself, of borders as wrong does not generate territorial nationalism.

Moldova (according to 2004 official census of the population)
 Romanians – 2.564.849 (declared as Moldovans)
 plus 73.276 (declared as Romanians)
 Bulgarians – 65.662

Ukraine (according to 2001 official census of the population)
 Polish: 144.130
 Romanians – 258.619 (declared as Moldovans)
 and 150.989 (Romanians)
 Bulgarians: 204.574
 Germans: 33.302
 Greeks : 91.548

Belarus (according to official estimations)
 Polish – 400.000

	UK	D	DDR	CZ	HU	PL	BG	RUS	UA	LT	RO
THERE ARE PARTS OF OTHER COUNTRIES WHICH BELONG TO US	20	43	25	39	68	60	52	22	24	46	71

Table 1. Territorial Nationalism In Selected European Countries

Source: Times Mirror Survey, 1991; Freedom House-sar, 2000

If that is the problem, what is the solution? Most Eastern European borders resemble the France–Germany model rather than the ordinary West-European border, so the plain solution that these borders must be rendered superfluous via a process of unification (although it was not specifically stated as such at Copenhagen or Helsinki) seemed goofy policy. But three serious challenges emerge here:

I. Many problematic borders have not been solved by the 2004–2007 enlargement. The new state of Ukraine, a key state in the post-Cold War design of Western security was born into Stalin’s borders, including Russian Crimea, former Polish Galicia and Romanian territories lost to the Ribentrop–Molotov pact in 1940. Even leaving these areas aside, the country is divided between Ukrainian speakers and Russian speakers, a cleavage which is also reflected in electoral politics and attitudes towards the West.

II. Enlargement created new problems between new EU member countries and their neighbors; the latter are completely cut off and cannot even easily travel to these new EU states. *The most serious problem with the Schengen induced visa policy concerns the minority groups’ kin in new EU member countries and left abroad: Poles in Belarus and Ukraine, Hungarians in Ukraine, Romanians in Ukraine and Moldova.* Hungary has a sensitive border with former Yugoslavia, where a strong Hungarian minority lives in Vojvodina; Poland one with Ukraine, where a large Polish minority lives; and Romania now has a border closed to Moldova. To be sure, these are not conflict-leading borders per se; nobody would wage war to change them. But making those borders impermeable severed these minorities’ connections (in the Moldovan case, the concept is somewhat dubious) with countries where the bulk of their culture lies, prompting illegal entry and feeding resentment. Formal barriers stop ordinary citizens, students and truck drivers: they fail to stop criminals.

III. On top of problematic acknowledged borders, the eastern border also has problems created by entrepreneurs behind the more or less ‘frozen’ conflicts. For instance, the secessionist Transnistria, a splinter from the Republic of Moldova after this former Soviet Republic declared independence in 1991. It resisted Moldova’s military attempts at recovery, and used the presence of the Russian 14th Army and its gear (which has gradually change hands over years to the unofficial paramilitary) to turn into a rogue state in its own right. Though Transnistria has no international recognition, it is more heavily armed than Moldova and enjoys Russian protection. The entity issues its own visas, controls its territory, and even imposes customs tax on Moldovan peasants whose land falls within their perimeter.

Unlike Abkhazia and South Ossetia in Georgia, there is no background of ethnic conflict here. The area was just added to the territories taken from Romania in 1940 to create a Socialist Republic of Moldova, and has been threatening separation in the unlikely event that Moldova will get close to Romania again. Like in Kaliningrad, the majority of separatists are retired military families.



IS THIS A BORDER BETWEEN CIVILIZATIONS?

The difference in the development of Western and Eastern Europe is above any controversy. Even where we are dealing with the same history and the same culture, as is the case with Eastern Germany versus Western Germany, decades of investment are needed to mend the destruction communism caused to the economy and society. However, this development border was much less an object of public concern in the Western intellectual debate than was the assumed 'cultural' one. More than one version of where this 'cultural' border actually stands has been floated around in the past three decades. Only Vaclav Havel had the honesty to acknowledge that between Western and Central Europe, there still lies 'a wall in our heads', but he was alluding to the legacy of communism, not to some structural cultural difference. Many Central Europeans implicitly accept the 'cultural border' argument when striving to push this imagined cultural border further to the South and the East. Samuel Huntington endorsed this with his William Wallace-based argument: "The Velvet Curtain of culture has replaced the Iron Curtain of ideology as the most significant dividing line in Europe".¹¹

This well-phrased assertion came under serious attacks; however, one must acknowledge that even imagined borders can, at times, if we are dealing with widespread perceptions, turn into real borders, so 'the wall in our heads' can well be of our own doing. Until the last day of the last millennium, for instance, eastern Balkan countries, despite being invited to join the EU, were blacklisted by the EC and most member states as well. So in order to travel to the rest of Europe, their citizens needed to get a visa at the consulate of some member state, a process often expensive, time consuming and humiliating. Countries falling within the cultural borders, despite being rated similarly in terms of their overall performance by the EU, such as Slovakia, or not even featuring among invited countries, such as Croatia, enjoyed a lot more freedom of movement within Europe than Bulgaria and Romania did.



However, when checking public opinion data, no cultural differences seem to matter. Amazingly, on average Eastern Europeans report having a 'European identity' more than Western Europeans (66% to 54%). However, this probably just reflects their strong desire to end the forced separation of Europe they lived through with fifty years of communism.¹² Comparisons of Eastern and Western Europe¹³ or within Eastern Europe¹⁴, as well as cultural classifications based on the World Values Survey¹⁵ show that Eastern Europe falls within *one* cultural area, with the recent influence of communism overriding dramatically any remote influence of past regimes or cultural factors such as religion.¹⁶

Even if no cultural differences were found despite so many self-fulfilling prophecies, the development problem would still be massive. Europe already accepted as members the poor countries of Bulgaria and Romania. Ukraine (a large country) and Moldova (a tiny one) are even poorer. Furthermore, they are plagued by corruption, the indispensable companion of poverty, and their politics frequently look like a competition among predatory elites trying to capture the state. Are they fundamentally different from Romania and Bulgaria, though? Figures point only to differences in size, not in kind (see Table 2). Moldova has always been the poorest region of Romania (when it belonged to Romania), or Czarist Russia (when the Czar owned these border territories), while places like Odessa or Czernowitz have been not only prosperous, but also clearly European: cemeteries and old buildings attest to this. Historical legacies of development can hardly be seen as 'cultural' legacies and they should not be considered as such.

	RO	BG	LT	BE	UA	MD	GE
GDP/CAPITA ADJUSTED BY PURCHASE POWER PARITY (PPP- USD, IN 2007)	11,100	11,800	16,700	10,200	6,900	2,200	4,200
GROWTH 2007	5,9%	6,1%	8%	6,9%	6,9%	6%	10%
CORRUPTION PERCEPTION INDEX	3.8	3.6	4.6	2.0	2.5	2.9	3.9
NIT RULE OF LAW (JUDICIAL FRAMEWORK AND INDEPENDENCE) 2007	4.00	2.75	1.75	6.75	4.75	4.50	4.75
NIT DEMOCRACY SCORE (2008)	3.36	2.86	2.25	6.71	4.25	5.00	4.79

Table 2. Main development indicators across border countries

Source: GDP/capita adjusted by purchase power parity, Growth: CIA – World Fact Book Rule of Law, Democracy score: www.freedomhouse.org. Nations in Transit (The ratings are based on a scale of 1 (highest) to 7 (lowest)) Corruption Perception Index: Transparency International (ratings from 0 (highest) – 10 (lowest))



TURNING THE EASTERN BORDER INTO A NEW EUROPEAN WALL?

The major problem for the Europe of today and tomorrow is how to protect its haven of prosperity from an invasion of 'Tartars', and its high living standards from the need to redistribute wealth to poor regions of post-Communist Europe. Even if the 'Tartars' of the Middle Ages are no longer the invaders (quite the contrary, they are a group needing protection), the border still serves the same purpose: to prevent invaders from the East. As long as differences in living standards between Western and Eastern Europe remain so dramatically high, the worry that the enlargement will be followed by a wave of immigration will persist. The problem is that immigrants from Moldova, Ukraine and Russia pour into the EU even now, when they do not have a European perspective. Moreover, most of them do not cross the border on foot, defying the sensitive new technology meant to spot every movement. They bribe their way in through EU consulates and board normal flights in high security airports.

Given the current stage of institutional development in Eastern European countries, the huge investment in Europe's eastern Schengen border may not yield as substantial returns as expected. As home ministers from Poland and Romania have repeatedly pointed out, it is difficult to enforce borders without cooperation from neighboring countries. There is considerable corruption amongst customs and border officers even in new member countries, where they continue to be seriously underpaid. Infrastructure upgrading and professional training on a massive scale are under way, but the most serious issue of all is the socio-economic gap.

INTENTION TO WORK IN ANOTHER COUNTRY (%)	ALBANIA		MOLDOVA		UKRAINE	
	1) FIRST COLUMN DESCRIBES THE PERCENTAGE OF TOTAL POTENTIAL MIGRANTS 2) SECOND COLUMN DESCRIBES THE PERCENTAGE OF POTENTIAL MIGRANTS, WHOSE DESTINATION IS A COUNTRY OF THE EUROPEAN UNION	44,2 %	81,4 %	44,2%	49,1%	31,2 %
NET MIGRATION RATE	- 4.41 migrants/ 1000 population		- 1.13migrants/ 1000 population		- 0.12migrants/ 1000 population	

Source: Intention to work in another EU country: ETF, Birmingham 12/03/08
Net Migration Rate: CIA World Fact Book, 2008

How much above the national average can one pay law enforcement officers and judges to make sure they resist temptation?

New member countries have made considerable efforts to comply with requirements to bring their judiciary and law enforcement agencies in line and some progress is indeed visible. *But there is a direct correlation between the general level of institutional development and the implementation of Justice and Home Affairs.* The future buffer zone countries have an uneven potential, but even the most advanced ones are hardly able to – and particularly willing as well – to carry the burden of the EU's eastern border by themselves. EU is offering support in training and infrastructure building: an example is the EUBAM Mission in Odessa. They have to work, however, with a mixture of corrupt and dogmatic Cold War-era border guards. Created to enforce the embargo against Transnistria, EUBAM is de facto only socializing Ukrainian and Moldovan border guards into a civil approach to borders.

Unlike previous enlargements, this was the first one to include Justice and Home Affairs *acquis*, which now covers asylum, control over external borders, migration, organized crime, terrorism, drugs, as well as police, customs, and judicial cooperation. Most importantly, the *acquis* also includes the Schengen agreement on the removal of border checks between member states. Article 8 of the Amsterdam Treaty Protocol, which includes the Schengen *acquis*, states that future EU members will be required to fully comply with the Justice and Home Affairs *acquis*. In spite of the diversity of national practices visible in the flexibility of arrangements within the Justice and Home Affairs regime (to accommodate Western countries that opt out (members such as UK and non-members such as Norway), this regime is well on its way to becoming generalized in Europe. In other words, there is no room for negotiation here, with Eastern European countries becoming passive consumers of asylum and border policies set by the EU. Each in turn, Poland, Bulgaria and Romania have tightened their borders and shut out neighbors from Ukraine, Macedonia and Moldova, with huge enforcement costs.

When EU is getting closer...

The closeness of the EU border raised hope in the hearts of Moldovan citizens living near the Moldovan-Romanian frontier; these hopes, however, were quickly shattered. The ease of border crossing before 2007 led to the emergence of a lifestyle based on mobility and intense practice of cross-border small trade. Romanian towns across the Prut River, such as Galatz or Jassy, were considerably closer than Kishinev, Moldova's capital city. These urban centers provided the main marketplace for Moldovan peasants' agricultural products, but they were also sources of supplies. There peasants could buy food and goods from Romanian supermarkets, which would have cost them much more at home. As the mayor of a village from the region, Ion Neagu, told us, Colibași, one of these localities, had a fleet of 62 buses, which provided daily transport to Galatz to the surrounding villagers.

As of 2007, when Romania joined the EU, the traffic ceased, as visas were rather complicated to obtain. The bus company closed down, the peasants saw their businesses go to ruin, their greenhouses fell and their incomes diminished drastically. So they turned to what had long been the alternative for the rest of Moldova's inhabitants: work migration to the West. Among those who left was the wife of the mayor of the village of Manta. The mayor has a small EU flag in his office, a sign of his hope that one day his country will join the European family and a big blue flag will stream at the town hall's entrance.

The people do not direct their anger at the rigid measures imposed by the EU, but at the Communist government, which delays signing the Convention on the cross-border small traffic. The Convention stipulates the conditions under which the inhabitants of the border area can cross the frontier through a simplified procedure. According to the European Regulation on cross-border small traffic, such conventions are legally binding within a 30 km radius from the common border of the EU member state and the neighboring third party state. But the Kishinev authorities are trying to extend the Convention to other areas of the Republic of Moldova, including Transnistria, the self-proclaimed separatist republic, in the hope that this will multiply their electoral capital. Their request is an aberration, in total contradiction with the European legislation, and it's hard to believe the Moldovan government is unaware of this. But the Communist government hopes that by refusing to sign the convention on cross-border small traffic, they will force the Romanian authorities to sign the bilateral Romanian-Moldovan treaty, which has been on the hold for years. Moldova perceives the Romanian reluctance to the bilateral treaty as a threat to the stability of the republic, which has never existed as an independent state before the fall of the USSR. In a desperate attempt to change the state of affairs, and with the support of an opposition party (The Liberal Democratic Party of Moldova), 10,731 signatures were collected from citizens in the border region pleading for the urgent signing of the Convention on cross-border small traffic. But in a country more and more characterized by authoritarianism, civic- and opposition-led initiatives might remain without consequence. Resigned and defeated, the inhabitants of the border villages continue to queue in front of Romania's Consulate in Kishinev to get a visa on which the survival of their families depends. Whenever despair triumphs, however, they take the road of illegal immigration to the West. Paradoxically, clandestine immigration to Italy or Spain seems an easier solution than legal border crossing into a neighboring country.

Schengen can hardly be seen as a 'security and stability factor' for Eastern Europe; rather, it induces new tensions between neighboring countries that had barely managed to surpass prior tensions. The situation in Southeastern Europe is even more delicate. Favoring Croats over Serbs even after the normalization of the situation in Serbia, the isolation of high-migration potential Bosnia and Macedonia and the new wall between Slovenia and the rest of the Balkan countries can hardly be considered stabilizing policies. Transitory or lasting forms of accommodation with neighbors are very much necessary; these would cover the Ukrainian-Polish, Romanian-Moldovan and Balkan borders problems in general. While rushing to join the EU, applicant countries should not forget that vicinities are lasting realities, and by no means is the vicinity with Western Europe the only one that matters. Yugoslavia, Ukraine and Russia may not be doing well for the moment, but their citizens bear no guilt for their politically or socio-economically inferior status, and if entrance to the club of the rich is still at a distance, at least these citizens should not lose their essential freedom to circulate within the former common Eastern European space. This would only feed unnecessary frustration and resentment, which are far from being in short supply in the region.



CONCLUSIONS AND RECOMMENDATIONS

Once a border is set, albeit conventionally, it starts working as a border; in other words, it starts generating differences across it, and homogeneity within. Even more so when a border is designed as the manifestation of a vast program of crafting a new identity and the common reality underlying it, as is the case with unified Europe. This implies that current differences between Schengen-joining accession countries and those falling behind so far, as well as differences between the former and their neighbors to the east will increase, and indicators in our Table 2 will reflect further differences in the next years. Gaps will only widen with the imposition of impermeable borders.

There are a few important suggestions arising from our work. These should not be sent as fully fledged recommendations, but rather as directions that we believe should be pursued in search of more concrete solutions.



1. MAKING A DIFFERENCE BETWEEN MINORITIES PROBLEMS AND POLITICAL PROBLEMS.

One reason why negotiations seem to be blocked on the frozen conflicts is the genuine difficulty is setting apart the minority protection issues from the pure political ones. There is a drive to separatism from political forces which prefer to be close to Russia than to Europe which no minorities' treatment can alleviate, and this should be part of a comprehensive political file to settle with Russia, but there are also genuine minorities' problems where Europe can play a larger role. EU should for instance involve itself more in the problems of the Tartars in Crimea and insist in generally that Ukraine is more mindful with its minorities.

2. A MORE COMPREHENSIVE AND SUSTAINED ENGAGEMENT OF RUSSIA

The situations of Transnistria, South Ossetia and Abkhazia can not be solved, however, by a case by case approach. They can only be solved as part of a larger deal with Russia, a negotiated agreement on where EU ends and Russia starts. The old policy of NATO enlargement first, EU after does not apply to these countries and seems to have reached its limits. It was a glorious policy, but is now in bad need of replacement. Russia will not allow NATO into the Caucasus, a key security area for their interests. It is also difficult to conceive how Ukraine, with a fragile state, an inconsistent public opinion and in bad need at gas at subsidized prices from Russia can in the same time become a serious NATO candidate. Ukraine needs a special status, of the type Austria had for years. Its defense industry is closely tied with Russia's: any move of Ukraine towards NATO imposes Russia's defense industry reorganization, an extra demand that Russians are not going to take kindly. The countries of Ukraine, Moldova and Georgia should remain neutral and be provided a clear European perspective. In exchange of NATO's confinement to its present Eastern border, Russia should for the first time commit in good will to bring the separatist regions back to their countries and cease the support to these regions. It should also fully retire its troops in front of EU peacekeepers.

3. A STRENGTHENED MANDATE SHOULD BE GIVEN TO EU BORDER MISSIONS, WHO SHOULD REPLACE COMPLETELY THE RUSSIANS AS STABILIZERS OF THE CONFLICT REGIONS.

The present missions in Ukraine and Georgia are weak and not fully prepared to the task on ground. While it may take many years until EU is ready for these countries and these countries for Europe, the test for EU's ESDP is immediate. EU should take over the stabilization of the border without NATO, and this means commitment and investment from member states both on the diplomatic and the defense front.



4. FINALLY, THE VISA REGIME SHOULD BECOME HUMANE. People with relatives in the neighboring countries should be given long-term Schengen visas, not a few days, one-entry types as happens presently. The same should happen for students: and small trade border conventions should be signed by all parts without delay in order to compensate border inhabitants for the tremendous economic loss they have suffered by the European enlargement.

The documentary film complementing this report shows that many of the inhabitants from the borderlands have lived in Europe before. If they ended up beyond the wall, it is simply because they are the victims of historical injustices still left uncorrected; and though they might never be corrected, new injustices should not be added to their lot.



APPENDIX. A REVIEW OF HOTSPOTS ON THE BORDER

HOTSPOT 1. THE MOLDOVAN EXCEPTION TO THE RULE?

Romania's accession to the European Union in 2007 provided Europe with an odd new neighbor. In 1995, *The Economist* pictured the small country of Moldova (4.3 million inhabitants, with only two thirds de facto residing there) as "a perfect lab for the enacting of reforms" and a "model" for the right approach to reforms. Since its independence in 1991, this former Soviet republic with a Romanian-speaking majority embarked on a mission to establish a democratic system of government based on fundamental rights and freedoms. It adopted a constitution in 1994, which created a semi-parliamentary political system, with a President elected directly by voters. Moldova adopted all the UN conventions it was required to; unlike the Baltic States, its minorities were granted citizenship and Russian was practically given the status of a second official language. In 1994, the country held its first free and fair popular elections, and again in 1998, 2001 and 2005. In 2000, the constitution was revised, and Moldova again gave Western advisors satisfaction by giving up direct elections for the presidency, turning its back on semipresidentialism completely.

The effects were immediate: the parliament elected the first Communist president since the fall of communism. Analyzing 'what went wrong', a 2000 UN report stated that the primary cause was that 'Reform implementation was influenced by the electoral cycles.' Apparently, Moldova is an exception to the broader Eastern European rule that countries with the greatest economic progress are also those that advance on the path to democracy. Or, is it?

It is perhaps due to the difficulty of explaining Moldova's exceptionality that it is usually left out (together with Albania, with whom it shares the title of the poorest European country), when discussing the democratization of Eastern Europe. Moldova has slowly turned into an embarrassment for Western donors. Since declaring independence in 1991, Moldova has been one of the most pluralistic post-Soviet states. Still, it struggles with state consolidation, a weak economy, identity problems (it challenged the Brussels translation budget by claiming that Moldovan is a separate language from Romanian) and a massive desertion by nearly all its qualified workforce. Almost half (two million), are allegedly working in Western Europe, over 60% of which are peasants.

In 2003, the International Crisis Group advanced optimistically that, 'The conflict in the Transnistrian region of the Republic of Moldova is not as charged with ethnic hatred and ancient grievances as other conflicts in the OSCE area and it is more conducive to a sustainable settlement'.¹⁷ Some years later, we are as far as ever from having solved the Transnistrian conflict. Quite to the contrary, in 2006 Transnistria organized a successful referendum on its independence. Moldova has meanwhile given up its earlier ambitions to join NATO, aware that Russia alone can end the Transnistrian rebellion. However, is it in the interest of Russia to end it, when the current stalemate keeps Moldova's state building hostage? Transnistria is the most developed part of Moldova and has key development positions, controlling the train and energy routes from Ukraine to the West.

During the early years of the Eastern European transition, transitologists made much of the 'demonstration effect'. Its best exemplification was provided by the luxurious Mercedes Benz cars that Berlin 'Wessies' showed off when visiting their poor socialist relatives across the wall to the east. Transition developed a new set of models for countries and voters to compare. For Moldovans, the choice was between Romania and Belarus, and a few years ago, a focus group told one author of this report that they actually prefer Belarus, whose economy is more stable than Romania's, and its gas subsidized. This is the economic demonstration effect. Indeed, in the very successful EU member state of Romania, inhabitants pay between a third and a half of their income during winter to cover utilities.

Furthermore, due to the Transnistrian issue, there is daily demonstration that Russia remains the only strong regional actor. The Council of Europe pressed Moldova hard when it derailed from democratic rules, but was impotent to push Transnistria on the same issues. This is the political demonstration effect. Transnistria has preserved its statues of Lenin and fought for its recognition as the last Soviet republic. Romania's EU accession might provide a new model and initiate a cycle of the demonstration effect. Opinion surveys have already started to show some change. Meanwhile, Moldova's preconditions of dependency (most specifically the Nistru conflict, unsolvable in current conditions), the lack of reform constituencies and Russia as a hegemonic economic power, continue to trap it. Moldova cannot yet afford to opt radically for either East or West integration¹⁸ and so it retains its ambiguous status, although it is precisely on this ambiguity that its state-building nightmare rests.

USSR still lives in people's passports

In 1944, when Bessarabia was incorporated into the USSR and the frontier was set on the river Prut, Mrs. Evghenia Jidanov had just gotten married to a young man from her hometown, Sculeni, which stretched to both sides of the river. Born on the right bank of the Prut, she moved to the left bank to live with her husband. The newly erected barbed wire kept her separated from her family until the fall of the USSR, when she was finally able to see her siblings, whom she could hardly recognize under their wrinkles. In the meantime, her own face had likewise been marked by time. Her hands also bore the traces of the tortures she endured from the Soviet authorities during political police interrogations because she had relatives in Romania. Today, family reunions are once again just a beautiful memory to Evghenia, and to all those whose lives were separated by the frontier.

For a few years after the Republic of Moldova gained its independence in 1991, its citizens were able to travel to Romania with their only ID cards. Then a new rule was imposed and, travel to Romania required a valid passport. This rendered family reunions with relatives across the border complicated and costly.

The authorities systematically discouraged people from obtaining new ID cards and passports, imposing prohibitive costs for a country enjoying the privilege of being the poorest in Europe and for whose citizens mere survival is a daily challenge.

The media and the opposition parties denounced the fact that the issuance of Moldovan passports was turned into a very profitable and mafia-type business by the political powers that were, and its friends among local businesspersons. In 2003, at the insistence of the Christian Democrat parliamentary group, the parliament heard a report on the activity of the Department of Informational Technologies (currently the MDI). The report showed that “the taxes for passport and ID card release are exaggerated,” and that the number of blank passports ordered in January 1992 from a German printing house was far too high: enough to cover “Moldova’s necessities for the next 38 years”. Accusations were made that the state transferred about 40% of the price of each document released, to the accounts of two private companies. In exchange, these companies provided the necessary processing equipment at prices much higher than the market prices. In this case, the poverty of the people living in states that emerged from the ruins of the USSR met with the overwhelming inheritance of the past. At present, in the Republic of Moldova there are, according to official sources, 395,129 holders of Soviet passports. A government decision has prolonged the validity of these documents for life, with which their owners cannot travel anywhere in the world, because their issuer is a state that no longer exists. In other words, over one tenth of the country’s population is captive in a state which today is gone from any map.

HOTSPOT 2. AMBIGUOUS CRIMEA

As the Autonomous Republic of Crimea (ARC), a part of Ukraine, has managed to escape the fate of Transnistria or South Ossetia in the last fifteen years, it has gradually lost international attention. However, the 2006 declaration by the Crimean Republic Parliament (Verkhovna Rada) that Crimea is a zone ‘free of NATO’ (in defiance of official Kiev policy), and the Georgian-Russian war of 2008 prove that the stability of Crimea should not be taken for granted. Crimea is largely free of violence for the moment, and has managed to avoid any unilateral political swings so far. Nevertheless, there are both structural and conjectural factors, which threaten the stability of the region. Due to the new Ukrainian leadership’s turn to the West after the Orange Revolution, the Russian-dominated old Tatar Khanate of Crimea has advanced eastward to Russia.

The conflict potential in Crimea derives largely from two entangled issues: the Ukrainian-Russian rivalry over the region, and the Tatar minority situation. The Tatars, who in 1783, at the time of the Crimea’s incorporation into Russia, comprised roughly 83% of the peninsula’s population, shrunk to just 34% by 1897, and again to 20.7% by 1937. On May 18, 1944, nearly the whole Crimean Tatar population, between 200,000 and 250,000, was, on Stalin’s orders, rounded up and sent into internal exile, mostly to Uzbekistan.

Crimean Tatars started to return gradually after the liberalization of the Soviet regime. Presently, Tatars make up approximately 12% of the region's population, while Russians are around 58%, and Ukrainians 24%.¹⁹ With the Tatars' return, Crimea had changed hands. Soviet First Secretary Nikita Khrushchev authorized the transfer of the Crimea from the Russian Federation (RSFSR) to the Ukrainian SSR in 1954, even though the majority of the peninsula's population was by then ethnically Russian. The decision showed serious effects only after the break-up of the Soviet Union, when Crimea found itself in the newly independent Ukraine. Throughout 1990, the Russian-dominated political leadership in Crimea advocated the preservation of the Soviet Union. When it nevertheless collapsed in late 1991, Crimean Russian leaders changed course and tried to achieve as much autonomy as possible from the new Ukrainian state. The current Autonomous Republic of Crimea, a de facto region of Ukraine, was a compromise that has since held.

The return of the Tatars after 1990 occurred in a region that was unprepared to handle such a massive and rapid migratory influx. In Crimea, as elsewhere, the economic depression of failing communism was starting to leave its marks. The Tatars' return severely exacerbated existing shortages, especially the chronic lack of housing that continues even now. Since all Tatar property in the Crimea had been confiscated and redistributed following their deportation in 1944, Tatars found themselves again having to build completely new communities from scratch, while the ethnic Russian majority was growing increasingly apprehensive about the erosion of their own status. Despite the existence of some power-sharing arrangements (ARC autonomy, a specified percentage of jobs in central administration for Tatars even higher than their share of the population, and official departments for interethnic situations) the rights of the Crimean Tatars are still far from being equal to Russian or Ukrainian speaking citizens of Crimea.²⁰ Crimean Tatars are not entitled to land restitution, and there are huge practical difficulties for a Crimean Tatar child to study in his or her language, despite some progress. Russian is the most common for all levels of education. Tatars complain of racism and discrimination when applying for jobs and the number of mosques is still insufficient. Even obtaining Ukrainian citizenship is complicated.

Responsibility for this situation seems to be mixed. The first land claims by Crimean Tatars deported at the end of WWII, and subsequently rehabilitated during the Perestroika, date from 1989. Courts denied the return of their confiscated lands on the grounds that legislation for deportees was lacking.



Attempts to pass such legislation, however, have failed in the sixteen years since, and it is still unclear whether President Victor Yushchenko will approve a bill on deportees' social rights, which President Kuchma vetoed, and which Tatars claim is far from solving all the issues. Many Tatars managed to get limited plots for building houses by applying directly to local governments (sometimes paying bribes) or occupying state owned land (land grabs). A share of these land grabs were legalized in the recent years, and some settlements are now fully legal, but a great many others remain a source of tension. There are frequent and truly multifaceted disputes over the land grabs in Crimea, involving thousands of people on all sides, claimants and current owners, often with unclear rights. Allegedly, 60,000 Tatars are still landless, without counting those still planning to return from Central Asia. The chances of getting farming plots are even lower than for building plots. Many state enterprises still own the land, often from outside Crimea, and these not infrequently change hands secretly. There is little privatization, and such deals are not transparent. The absence of any clear legal norm renders the whole process arbitrary and unpredictable. The Mejlis, the Tatar representative body elected by the community (Kurultai), has succeeded so far in accommodating all radical and moderate tendencies within, but recent indicators seem to show that a more radical alternative is developing outside Mejlis, which could change this.

Tatars are allies of the orange parties. Their leaders claim that most of the vote for Yushchenko in Crimea actually came from this group. Previous governments have promised to solve their situation, from bilingual signs in areas where Tatars live to the passage of legislation regulating the handling of confiscated property, but nobody has delivered much thus far. As a ground rule, their policy relies on Kiev to push on their behalf with the ARC authorities. However, even this policy has important limitations. Law enforcement agencies may be Kiev subordinates in principle, but local people staff them, and Tatars claim that judges and police officers are biased, and often display plain racism where Tatars are concerned.

Despite the reach of an international agreement over the status of Crimea, nationalist Russian forces continue to endorse local pro-Russian movements. Inflammatory speeches over Crimea frequently appear in the Russian Duma, on Russian radio and TV talk shows. Russian companies and businesspeople are very active in the Crimean economy, especially on the southern coast.. A large section of the population reads only Russian newspapers and follows only Russian media, and has limited allegiance to the new Ukrainian state.



“OLD GENOESE PORT OF BALEKLAVE, CRIMEA”

The most aggressive local representation of Russian interests are the 'Cossacks', a vigilante group registered as Boy Scouts, bearing arms and specializing in counter-rallies, especially against Crimean Tatars, as they see the claims of this minority as a threat to the interests of the local Russian-speaking population. The total number of these 'Cossacks' vary, according to different observers, from 6,000 to 10,000. In recent years, Cossacks or other pro-Russian groups, with increasing danger of violent confrontation, have met Tatars' rallies for rights with counter-rallies.

Government accountability seems to be a major problem in Crimea at all levels, especially at the local level. The lack of clear legislation offers opportunities for corruption among local authorities, who have nearly arbitrary power to grant land. While homeless Tatars are denied land in villages where they used to be owners, huge areas on the expensive southern coast are granted through various forms (fifty years' concessions, very low rent, etc.), practically for free, to oligarchs from Russia or Ukraine or their companies. Politicians seem to be above the law, and heads of local parties, while advocating communism, build ostentatious dachas.

Crimea has a delicate political balance. Its incorporation in the Ukrainian state seems to have been won in the early nineties with the explicit assumption that the Russian-speaking population (a majority of which settled during communism, with many linked to privileged groups from the former USSR, such as secret service, army, bureaucracy) will continue to enjoy privileged rights. These include the aforementioned supremacy of Russian at all levels of education, and the enjoyment of property rights obtained during communism at the expense of the native Tatar population. Since the Ukraine's independence, but mostly in recent years, this privileged status has come increasingly under attack as the Ukrainian government moved toward Ukrainian-based education, and establishing Ukrainian as the official language of judicial procedures. This has led to oversensitivity from the Russian speaking population, which despite having Russia on its side and enjoying huge numerical supremacy, feels increasingly under threat.

Fear of the new orientation of the country towards EU and NATO integration is generally the most important issue in Crimean legislative elections. Adding various Russian and pro-Communist groups, one finds a strong pro-Russian majority on the Crimean Rada. As a reaction, Kiev looks increasingly for ways to curtail Crimean autonomy, increasing the powers of the presidential representative in Crimea, or curtailing the powers of government. More confrontational politics seem to lie ahead, as ARC autonomy seems to be an endlessly flexible concept, and bargaining over real influence is often more important than formal division of powers.



Still, the bottom line is Russia does not need to invade Crimea. Russia is already there, and if Crimea is still stable, it is because Moscow has not yet made the decision to destabilize it.

HOTSPOT 3. BEYOND THE SEA: THE GEORGIAN ULTIMATE FRONTIER

The champion of reforms, Georgia, the south Caucasus state that has endeared itself to Western donors in the last years, has provoked the latest opportunity to destabilize the region. Georgia is off parameter- although the Nobel brothers were importing oil from Batumi already in the nineteenth century- it is hard to argue that this country is European by anything other than its admirable, stubborn will to be. Unfortunately, the decision of Georgia's leadership to recuperate its secessionist territories by force led to their recognition by Russia. Leaving aside the tremendous waste of the small Georgian budget that the lost war in 2008 represents, the likelihood that Abkhazia and South Ossetia will ever be part of Georgia again has become infinitesimal. Russia ended up in possession of the disputed enclaves, with the cost of negative world opinion. The US was exposed as both imprudent in pushing for premature NATO membership promises for Georgia and Ukraine, and ultimately incapable of protecting its client. The whole issue of NATO enlargement is called under question: what good is NATO for Georgia and Ukraine if the price of having it is destabilization by Russia? In the end, it seems NATO can offer Georgia nothing without engaging Russia, and Georgia can offer NATO nothing except an unsolvable conflict.

In contrast, Europe achieved a prominent role in the region, with French President Nicolas Sarkozy brokering a ceasefire and the EU putting together an observer force, which may still work. Even so, there is a serious risk that this mission, like the EUBAM on the Moldovan-Ukrainian border, will prove ineffective and that Europe will end up playing a largely symbolic role.

Handling Russia has been, and remains to be an especially divisive issue in the European Union, with a gap between countries sensitive to what they perceive as the new Russian imperialism (as in Poland or the Baltic States), and core EU countries like Germany or Italy who try to have balanced relations with Moscow. The 2008 Georgian crisis showed how ill-prepared the EU is to handle issues on its eastern frontier. With NATO unable to help for political reasons, the EU badly lacks a European rapid-reaction force that is able to step in.



Despite spending over two hundred billion euro a year on defense, the EU lacks an adequate defense structure—no longer based on manning the ramparts and preparing to resist the invasion of ‘Tartars.’ Such operations require a very different kind of military from the armed forces of the Cold War era. From the almost two million men and women in uniform, who cost well over half the European defense expenditure budget, less than 30% are able to operate outside national territory. So, while the EU is badly needed to play a role in the disputed Georgian territories, in Moldova, and perhaps tomorrow in Crimea as well, it is not yet ready to do so. Its few representatives on the ground, from EUBAM in Odessa to the observers in Georgia (many of whom are seeing the Caucasus for the first time, and speak no Russian) look increasingly stranded.



"FORMER SOVIET MISSILE BASIS, SOLDANESTI, MOLDOVA"



NOTES

- ¹ The expression is the title of a famous novel by Dino Buzzati. The hero guards a border facing a desert and spends his lifetime waiting for the threat to the borders - 'The Tartars' - to materialize.
- ² Roeder, Philip. 1999. *Unfinished National Revolutions?* Slavic Review (vol. 58, nr. 4).
- ³ Gellner, Ernest. 1994. *Conditions of Liberty: Civil Society and Its Enemies*. London: Penguin Press.
- ⁴ Davies, Norman. 1984. *Poland: God's Playground*. NY: University of Columbia Press.
- ⁵ Kohn, H. 1965. *Nationalism: Its Meaning and History*. Malabar: Robert E. Krieger; Gellner, Ernest. 1994. *Conditions of Liberty: Civil Society and Its Enemies*. London: Penguin Press.
- ⁶ Sugar, Peter. 1980. *Ethnic Diversity and Conflict in Eastern Europe*. Santa Barbara: ABC-Clio.
- ⁷ Sugar, Peter. 1980. *Ethnic Diversity and Conflict in Eastern Europe*. Santa Barbara: ABC-Clio; Greenfeld, Liah. 1991. *Nationalism, Five Roads to Modernity*. Cambridge: Harvard University Press; Roeder, Philip. 1999. *Unfinished National Revolutions?* Slavic Review, (vol. 58, nr. 4).
- ⁸ Deutsch, Karl W. 1953. *Nationalism and Social Communication; an Inquiry into the Foundations of Nationality*. Cambridge Published jointly by the Technology Press of the Massachusetts Institute of Technology, and Wiley, New York.
- ⁹ Times - Mirror poll reported in von Beyme, Klaus. 1996. *Transition to Democracy in Eastern Europe*. New York, N.Y.: St. Martin's Press.
- ¹⁰ Miller, W. L., S. White and P. Heywood, 1998, *Values and Political Change in Post-Communist Europe*. Basingstoke: Macmillan; Mungiu-Pippidi, Alina. 2000. *Government Accountability in East Central Europe; Governance, Accountability and Institutional Social Capital in the Third Europe. A Survey of Romania, Bulgaria and Slovakia*; Romanian Academic Society and Freedom House with the World Bank Institute.
- ¹¹ Samuel P. Huntington, 'The Clash of Civilizations', *Foreign Affairs*, vol. 72, no.3, (Summer 1993); pp 31
- ¹² ISSP Survey on National Identity, 1995.
- ¹³ Miller, W. L., S. White and P. Heywood. 1998. *Values and Political Change in Post-Communist Europe*. Basingstoke: Macmillan.
- ¹⁴ Rose, Richard, W. Mishler and C. Haerpfer. 1998. *Democracy and Its Alternatives: Understanding Post-Communist Societies*. Baltimore: Johns Hopkins University Press; Mungiu-Pippidi, Alina. 2000. *Making Democratic Institutions Work for the people*. UNDP Regional Report, Bratislava.
- ¹⁵ Inglehart, Ronald. 1997. *Modernization and Post-Modernization: Cultural, Economic and Political Change in 43 Societies*, Princeton, and NJ: Princeton University Press.
- ¹⁶ Alina Mungiu-Pippidi and Denisa Mindruta. 2002. "Was Huntington Right? Testing Cultural Legacies and the Civilization Border". *International Politics*. June 2002, Volume 39, Number 2, Pages 193-213
- ¹⁷ *No quick fix in Moldova*, Brussels: International Crisis Group, 2003, www.icg.org
- ¹⁸ See *Wim van Meurs Moldova ante portas: the EU Agendas of Conflict Management and 'Wider Europe'* *La Revue Internationale et Stratégique* n° 53 (2004)
- ¹⁹ Data from 2001 census, available at <http://www.ukrcensus.gov.ua/eng/results/general/nationality/> In addition, an estimated 5 million ethnic Crimean Tatars and their descendants now live in Turkey.
- ²⁰ According to the Committee on the Elimination of Racial Discrimination of the UN High Commissioner for Human Rights, which in a communication to the Ukrainian representative, reiterated a year ago its previous 2001 concern that... "The Committee reiterates its concern regarding the difficulties experienced by the Crimean Tatars in acquiring Ukrainian citizenship. At the same time it was felt that resettlement should not generate new ethnic tensions that might lead to conflict between Crimean Tatars and other minorities. The Committee recommends that the State party review its legislation and practices in this regard and make any revisions required by the Convention."